

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3516 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

FE DASTUR

Versus

STATE OF GUJARAT

Appearance:

MR KV SHELAT for Petitioner

MR VB GHARANIA for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/04/99

ORAL JUDGEMENT

#. Having heard the learned counsel for the parties, I find that the State Government, before passing the order dated 7th October 1997 has not given hearing to the petitioner. Even if it is taken that the Corporation has not properly represented the case before the State Government, instead of rejecting this Resolution altogether the Corporation should have been called upon

to appropriately represent its case.

#. The special civil application is disposed of with directions to the respondent No.1 to decide this matter afresh after hearing the Corporation and the petitioner. It is expected of respondent No.1 to decide this matter within a period of three months from the date of receipt of writ of this order. Rule stands disposed of accordingly with no order as to costs.

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(sunil)